

PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) J1036.0016/P016	
		Application Number 10/583,331-Conf. #5103	Filed March 6, 2007
		First Named Inventor Vittorio Orlandi et al.	
		Art Unit 2854	Examiner Jill E. Culler
<p>Applicants request review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p> <p>I am the</p> <p><input type="checkbox"/> applicant /inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>31,063</u></p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____</p> <p> Signature</p> <p>Stephen A. Soffen Typed or printed name</p> <p>(202) 420-4879 Telephone number</p> <p>May 6, 2010 Date</p> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.</p> <p><input type="checkbox"/> *Total of <u>1</u> forms are submitted.</p>			

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Vittorio Orlandi et al.

Application No.: 10/583,331

Confirmation No.: 5103

Filed: March 6, 2007

Art Unit: 2854

For: PROCESS AND EQUIPMENT FOR PRINTING  
ON NON-WOVEN FABRIC

Examiner: Jill E. Culler

**PRE-APPEAL BRIEF REQUEST FOR REVIEW**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants respectfully request a review of the legal and factual bases for the rejections set forth in the Final Office Action mailed on January 6, 2010 in connection with the above-identified patent application. Pursuant to the guidelines set forth in the Official Gazette Notice of July 12, 2005 for the Pre-Appeal Brief Conference Program, favorable reconsideration of the subject application is respectfully requested in view of the following remarks.

On April 1, 2010, applicant's representative conducted an interview with the Examiner, as set forth in the Interview Summary mailed on April 5, 2010. On April 6, 2010, applicant filed an extensive response to the final rejection, explaining the basis for applicant's contention that the rejection was improper, and addressing the Examiner's contention at the interview that the control of speed affects torque. On April 20, 2010, the Examiner issued an Advisory Action maintaining the rejection on the grounds that the control of speed affects the control of torque. As explained below, the claimed invention is much more than just the control of torque.

Claims 1, 2, 4, 7, 21, 22, 28 and 32-33 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,688,222 to Cattaruzza et al. (“Cattaruzza”). This rejection is respectfully traversed.

Claim 1 recites, “[e]quipment for printing on non-woven-fabric, comprising a support driven such as to transport a sheet of non-woven-fabric, at least one driven printing body in order to carry out the printing and a control and command unit operatively connected with each of said support and at least one printing body such as to detect electrical signals originating from said support and at least one printing body, turn said signals into numerical values representative of the status of their angular speed and torque moment, compare said numerical values with ratios of preset numerical values of said angular speed and said torque moments and send signals to said support and at least one printing body in order to correct any possible variations in said values which fall out with said ratios.” (emphasis added).

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of Cal.*, 814 F.2d 628, 631 (Fed. Cir. 1987). *See also* M.P.E.P. § 706.02(V). Applicants respectfully submit that Cattaruzza does not teach every aspect of the claimed invention.

According to the claim 1, electrical signals from the printing body and the support are detected, converted into numerical values representative of angular speed and torque moment, and then compared to ratios of preset numerical values of angular speed and torque moment. Then, signals are sent back to the printing body and the support to correct variations in the numerical values that vary from the ratios. The preset values are calculated so that their ratios are defined according to physical characteristics of the non-woven fabric. Thus, angular speed and torque of the printing body and the support can be coordinated to prevent creasing or stretching effects of the fabric.

Cattaruzza, on the other hand, merely changes rotational speed of the different motor units to synchronize the movements of the rollers (Column 3, lines 43-50). The Office Action asserts that Cattaruzza anticipates the present application by teaching control of both rotational speed and torque because a change in rotational speed will inherently change torque (Office Action

at Page 11). This assertion is incorrect and fails to fully address the issue. According to Cattaruzza, data related to the rotation rate is transmitted to synchronize the electric motors (Column 3, lines 45-49). There is no discussion in Cattaruzza of detecting, monitoring, or controlling both torque and rotational speed. While a change in rotational speed may cause a change in torque, Cattaruzza still fails to teach detecting, monitoring, and controlling torque. Reading and controlling torque is different than adjusting rotational speed to synchronize motors.

The present claims recite that torque is controlled by detecting and comparing numerical values for angular speed and torque to ratios of preset numerical values for angular speed and torque. Then, signals are sent to correct variations in numerical values that fall out of the ratios that are based on physical characteristics of the non-woven fabric. This is different from synchronizing motors. Thus, in contrast to Cattaruzza, torque can be both changed and controlled to prevent negative effects of tension of the non-woven fabric. This allows for a more accurate control, whereas synchronizing the motor units according to Cattaruzza would not prevent a possible tensioning of the fabric that could occur during operation of the machine. Thus, Cattaruzza fails to teach all of the features of claim 1.

Since Cattaruzza does not disclose all of the limitations of claim 1, claim 1 is not anticipated by Cattaruzza. Claims 2, 4 and 7 depend from claim 1 and are patentable at least for the reasons mentioned above. Claims 21, 22, 28 and 32-33 contain limitations similar to those of claim 1 and are allowable at least for reasons similar to those discussed above with regard to claim 1. Accordingly, Applicants respectfully request that the rejection be withdrawn and the claims allowed.

Claims 3, 5-6, 8-9, 15-16, 24-26 and 34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Cattaruzza in view of Takahashi. This rejection is respectfully traversed.

Claims 3, 5-6, 8-9, and 15-16 and claims 24-26 depend from independent claims 1 and 21, respectively, and are patentable over Cattaruzza for at least the reasons mentioned above. Claim 34 contains limitations similar to those of claim 1 and is allowable at least for reasons similar to those discussed above with regard to claim 1. Takahashi, which has been cited as teaching a printer

having a driven support provided with through holds which cooperate with holding means, does not cure the deficiencies of Cattaruzza discussed above. Accordingly, Applicants respectfully request that the rejection be withdrawn and the claims allowed.

Claims 10-14 and 27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Cattaruzza in view of Takahashi, and further in view of Deeming. This rejection is respectfully traversed.

Claims 10-14 and claim 27 depend from independent claims 1 and 21, respectively, and are patentable over the Cattaruzza and Takahashi combination for at least the reasons mentioned above. Deeming, which has been cited as teaching transporting fabric on a belt through which water can be separated by a vacuum, does not cure the deficiencies of Cattaruzza and Takahashi discussed above. Accordingly, Applicants respectfully request that the rejection be withdrawn and the claims allowed.

Claims 17 and 30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Cattaruzza in view of Takahashi, and further in view of Kurihara. This rejection is respectfully traversed.

Claims 17 and 30 depend from independent claims 1 and 30, respectively, and are patentable over the Cattaruzza and Takahashi combination for at least the reasons mentioned above. Kurihara, which has been cited as teaching a widening function, does not cure the deficiencies of Cattaruzza and Takahashi discussed above. Accordingly, Applicants respectfully request that the rejection be withdrawn and the claims allowed.

Claims 18-20, 23 and 29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Cattaruzza in view of Darel. This rejection is respectfully traversed.

Claims 18-20 and claims 23 and 29 depend from independent claims 1 and 21, respectively, and are patentable over Cattaruzza for at least the reasons mentioned above. Darel, which has been cited as teaching a printer having an image acquiring device, does not cure the

deficiencies of Cattaruzza discussed above. Accordingly, Applicants respectfully request that the rejection be withdrawn and the claims allowed.

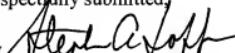
Claim 31 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Cattaruzza. This rejection is respectfully traversed.

Claim 31 depends from independent claim 21 and is patentable over Cattaruzza for at least the reasons mentioned above. Accordingly, Applicants respectfully request that the rejection be withdrawn and the claim allowed.

Applicants respectfully submit that the pending claims are patentable over the cited art. Applicants reserve the right to pursue additional arguments on appeal, especially with respect to the dependent claims. Accordingly, Applicants respectfully request that the application be passed to issue without the further burden of preparing an Appeal Brief and continuing with this Appeal.

Dated: May 6, 2010

Respectfully submitted,

By   
Stephen A. Soffen

Registration No.: 31,063

Amy M. Kuo

Registration No.: 62,374  
DICKSTEIN SHAPIRO LLP  
1825 Eye Street, NW  
Washington, DC 20006-5403  
(202) 420-2200  
Attorneys for Applicants